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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

DIRECTV, INC., a California corporation,  
  
Plaintiff,  
  
vs.  
  
ERIC LUCCHESI,  
  
Defendant.

Case No.: CV-04-3829 JSW JL

Hon. James Larson

**PLAINTIFF DIRECTV, INC.'S  
REQUEST TO APPEAR  
TELEPHONICALLY AT MOTION FOR  
DEFAULT JUDGMENT HEARING;  
[PROPOSED] ORDER THEREON**

**Motion for Default Judgment hearing:**

Date: October 5, 2005  
Time: 9:30 a.m.  
Dept.: Courtroom F, 15th Floor

Counsel for Plaintiff DIRECTV, INC., ("DIRECTV") respectfully requests that the Court allow the telephonic appearance of counsel at the Motion for Default Judgment hearing, currently scheduled for October 5, 2005 at 9:30 a.m. This request is made on the grounds that the attorneys primarily responsible for handling this matter are located in Orange County, California, approximately 424 miles from the above-referenced Court. Personal appearance at the hearing would therefore cause an undue hardship on DIRECTV. If granted, Brandon Q. Tran will appear for the hearing and may be reached at (949) 224-6277.

DATED: September 20, 2005

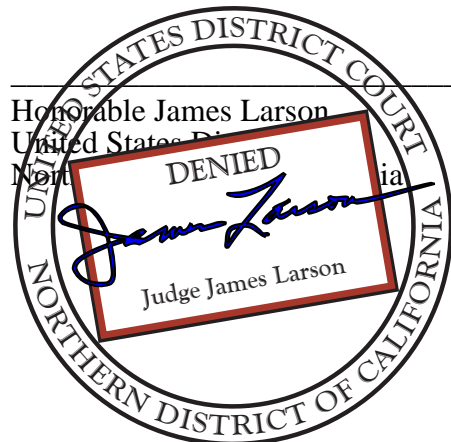
BUCHALTER NEMER  
A Professional Corporation

By: /s/ Brandon Q. Tran  
Brandon Q. Tran  
Attorneys for Plaintiff DIRECTV, INC.

### **ORDER**

Having reviewed the file and the request in this matter and for good cause appearing, **IT IS SO ORDERED** that the request to appear telephonically is hereby ~~GRANTED.~~ DENIED

Dated: 9/27/05



**PROOF OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is at BUCHALTER NEMER, A Professional Corporation, 18400 Von Karman Avenue, Suite 800, Irvine, California 92612-0514.

On September 21, 2005, I served the foregoing document described as: **PLAINTIFF DIRECTV, INC.'S REQUEST TO APPEAR TELEPHONICALLY AT MOTION FOR DEFAULT JUDGMENT HEARING; [PROPOSED] ORDER THEREON** on all other parties and/or their attorney(s) of record to this action by placing a true copy thereof in a sealed envelope as follows:

Eric Lucchesi  
212 Shaw Road #5  
South San Francisco, California 94080

Eric Lucchesi  
c/o Market Produce Sales  
360 Oyster Point Boulevard  
South San Francisco, California 94080

**(Defendant)**

**[X] BY MAIL** I am a resident of, or employed in, the county where the mailing occurs; I am over the age of 18 years and am not a party to the cause. I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service. The correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. The address(es) shown above is(are) the same as shown on the envelope. The envelope was placed for deposit in the United States Postal Service at Buchalter Nemer, in Irvine, California. The envelope was sealed and placed for collection and mailing with first-class prepaid postage on that date following ordinary business practices.

**[X]** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 21, 2005, at Irvine, California.

Joanne Mealey

/s/ Joanne D. Mealey

(Signature)

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